

August 8, 2013

Mr. Jon F. Winter
Manager, Wyoming Environmental
and Regulatory Affairs
Uranium One
907 North Poplar Street
Suite 260
Casper, WY 82601

SUBJECT: RESPONSE TO JUNE 24, 2013, SUBMITTAL OF ADDITIONAL INFORMATION REGARDING THE LICENSE AMENDMENT APPLICATION TO CONSTRUCT AND OPERATE THE LUDEMAN URANIUM *IN SITU* RECOVERY FACILITY, CONVERSE COUNTY, WYOMING

Dear Mr. Winter:

By letter dated June 24, 2013, Uranium One Americas Inc. (Uranium One) submitted its response to the U.S. Nuclear Regulatory Commission's (NRC's) request for additional information (RAI) regarding the amendment application to SUA-1341 to construct and operate a uranium *in situ* recovery (ISR) facility at its Ludeman site in Converse County, Wyoming. The staff has completed an acceptance review of your responses and determined that the responses are insufficient to continue with the technical and environmental reviews.

The NRC's January 15, 2013, letter specifically identified the information needed for the continued review of your license amendment request. Uranium One's response is unacceptable for the following major reasons. First, RAI 1 states in part,

The licensee for SUA-1341 is Uranium One USA, Inc. The Ludeman license amendment to SUA-1341 was not submitted by Uranium One USA, Inc. License amendments must be submitted by the licensee identified on the license.

Contrary to NRC's comment, the license amendment request was not revised to reflect that the licensee for SUA-1341, Uranium One USA, Inc., was requesting the amendment or, alternatively, that the amendment request was being submitted for the license held by Uranium One Americas Inc., for Moore Ranch. The NRC's regulations at 10 CFR 40.44 specify that licenses will be amended at the request of the licensee. Despite the existence of a corporate relationship between Uranium One USA, Inc. and Uranium One Americas Inc., the two companies are separate and distinct corporate entities. Uranium One Americas Inc. cannot, on its own, request that a license held by Uranium One USA, Inc. be amended. As a result, the license amendment request as written is invalid. Second, Uranium One did not provide the information requested in Technical RAIs 3, 6, 7, 8, 14, 16, 24, 28, 30, 34, 36, 39, 41, 42, 44, 57, 58, 59 and Environmental RAIs WR-1, WR-2. Without this information NRC cannot continue its review.

For the reasons identified above, NRC is suspending the technical and environmental reviews of Uranium One's license amendment application for the Ludeman facility until such time as all

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of the information provided in the RAIs is submitted and the license request is amended to comply with 10 CFR 40.44.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at John.Buckley@nrc.gov or (301) 415-6607.

Sincerely,

/RA/

John T. Buckley, Senior Project Manager
Reactor Decommissioning Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 04008502

cc:

Lowell Spackman (WDEQ)
Miles Bennett (WDEQ)
James Brashor (BLM)

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Sincerely,

/RA/
John T. Buckley, Senior Project Manager
Reactor Decommissioning Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
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